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September 6, 2005

TO: Each Supervisor

FROM: Thomas L. Garthwaite, M.D.
Director and Chief Medical Officer

Jonathan E. Fielding, M.D. M.P.H.
Director of Public Health and Health Officer

SUBJECT: **HOUSING AND FOOD INSPECTION PROGRAM IMPROVEMENTS**

This is to inform you of this Department's intention to implement enhancements to the Housing Inspection and Retail Food Inspection Programs and the public health rationale for these enhancements. We will reassess the results of these enhancements after one year's experience.

HOUSING INSPECTION PROGRAM

In our previous status reports we identified a need to improve the effectiveness of housing inspections through increased staffing, more in-depth inspections of problem properties and increased efforts to gain entry to tenants' units. One of the problems identified by us and the Auditor-Controller, in their report to you of June 8, 2004, was that access to tenant's units was limited by the fact that we are not inspecting during times when tenants are most likely to be home. In our October 13, 2004 memorandum to your Board, we proposed to make efforts to secure access to a greater percentage of housing units per building inspected. To achieve greater access to tenant units, the Department proposes to change staff work schedules to allow for after hours and weekend inspections. The schedule change would permit inspections to be conducted when tenants are most likely to be home. We anticipate that greater access to the tenant units will yield better overall compliance and improve the health and safety of rental housing.

Our plan is that approximately 15 percent of housing inspections would occur after hours and on weekends. This would require housing staff to work four adjusted weekdays per month and one weekend day per month during six months of daylight savings time. As indicated above, after one season of implementation, we will evaluate the results of this after hours and weekend schedule.

RETAIL FOOD INSPECTION PROGRAM

Your strong support of our revamped retail food inspection programs has led to an effective consumer protection activity, which has been credited with reducing serious food-borne infections in the County. The grading system has led to substantial increases in the percentage of A's. The percentage of A grades increased from 68.72% in January 1998 to 83.38% in June 2005. During this same period the percentage of C's declined from 6.19% to 1.48%. Perhaps most significant is the decline in the percentage of facilities that received a score below 70 (i.e. less than a C). The below 70 percentage reduced from 2.18% to 0.13% during the same period.

We have promised to continually look for opportunities to enhance consumer protection through this program. As part of these efforts, a review of retail food inspection data, as well as industry trends, point to the need to conduct some restaurant inspections on weekends and after hours.

An analysis of Department records indicates that the meals most often implicated in foodborne illness complaints are those served during the dinner hour. A second and more recent analysis supports a finding that dinner meals consumed on Saturday and Sunday have the highest frequency for probable food borne outbreaks (see Attachment I). While the number of diners may also be highest on weekends and weekend evenings, lack of inspections during these periods does not provide the same incentives to retail food operators as during weekday mornings and afternoons, when unannounced inspections occur. We believe that extension of the inspection hours and days of the week will reinforce the incentives for retail food operators to be constantly vigilant regarding all the food preparation, storage and service practices that protect all of our county residents.

In addition, we are concerned that our current schedule does not permit inspection of facilities whose services include practices with inherently higher risks, such as buffets. Buffets traditionally occurred only on weekends but are increasingly set-up during the dinner hour during the week. Buffet operations, much more frequently than other forms of foodservice, have been associated with several high-risk violations, including but not limited to, the lack of or inadequate temperature control of potentially hazardous foods, the display and/or preparation of food in a manner that would allow adulteration or contamination and cooking without the appropriate ventilation.

Our plan is to assess the incremental benefit of conducting five percent of all routine inspections after hours and on weekends. This will require food inspection staff to work one adjusted weekday per month and one weekend during six months of daylight savings time. After one season of implementation, we will evaluate its impact on the food program.

These proposed changes represent a departure from current and past practices and may raise some of the following questions from affected stakeholders to which we are responding as indicated:

- Industry apprehension due to inspections being conducted at times not traditionally associated with the majority of our routine inspections:

The extended hours inspection program is implemented on a limited basis and the Department's evaluation will include feedback from the industry. Supervisors will also be on duty to respond to any immediate concerns or issues that may occur during inspections conducted within this period.

- Industry concern that restaurant managers may not be available to discuss inspection report findings:

As in our current routine inspections, managers are often not available. However inspection staff will review inspection reports with any responsible employee available onsite. Additionally, facility owners or managers may subsequently contact the office and speak with an inspector to clarify or answer questions regarding the report.

- Industry concern that patrons may observe inspectors conducting inspections on weekends and have concerns:

The Department currently conducts over 150,000 inspections a year at retail food establishments, many of which are in the presence of customers and guests. It is our experience that the general public takes a positive attitude to our presence and associates inspections with safe food practices.

- Employee dissatisfaction with the new work schedule:

The extended hours schedule is designed to minimize the impact on current work schedules. During daylight savings time, lasting approximately six months a year, food inspection staff will work one weekend day and six evenings. Similarly during this same period, housing inspection staff will work six weekend days and 24 evenings (once a week).

- Employee dissatisfaction at not receiving overtime compensation for weekend and evening work:

The inspections conducted during the extended hours are routine and part of the normal workload. Past practices for paid overtime including unplanned events (e.g. street fairs and festivals), emergencies and night inspections will continue.

- Employee concerns for safety:

All inspections will occur during daylight hours. The same safety precautions observed during traditional work hours will be observed.

In preparation for this effort and prior to implementation, we are seeking guidance and direction from the DHS Human Resources, we are in the process of advising representatives of the restaurant industry, including the California Restaurant Association, and we are meeting and conferring with the unions representing the affected employees. Based on the change in work schedules as indicated, we do not anticipate any fiscal impact.

We met and conferred with representatives of SEIU Local 660 on July 26, 2005 and Teamsters Local 911 on August 8, 2005. We met with representatives of the California Restaurant Association on August 30, 2005.

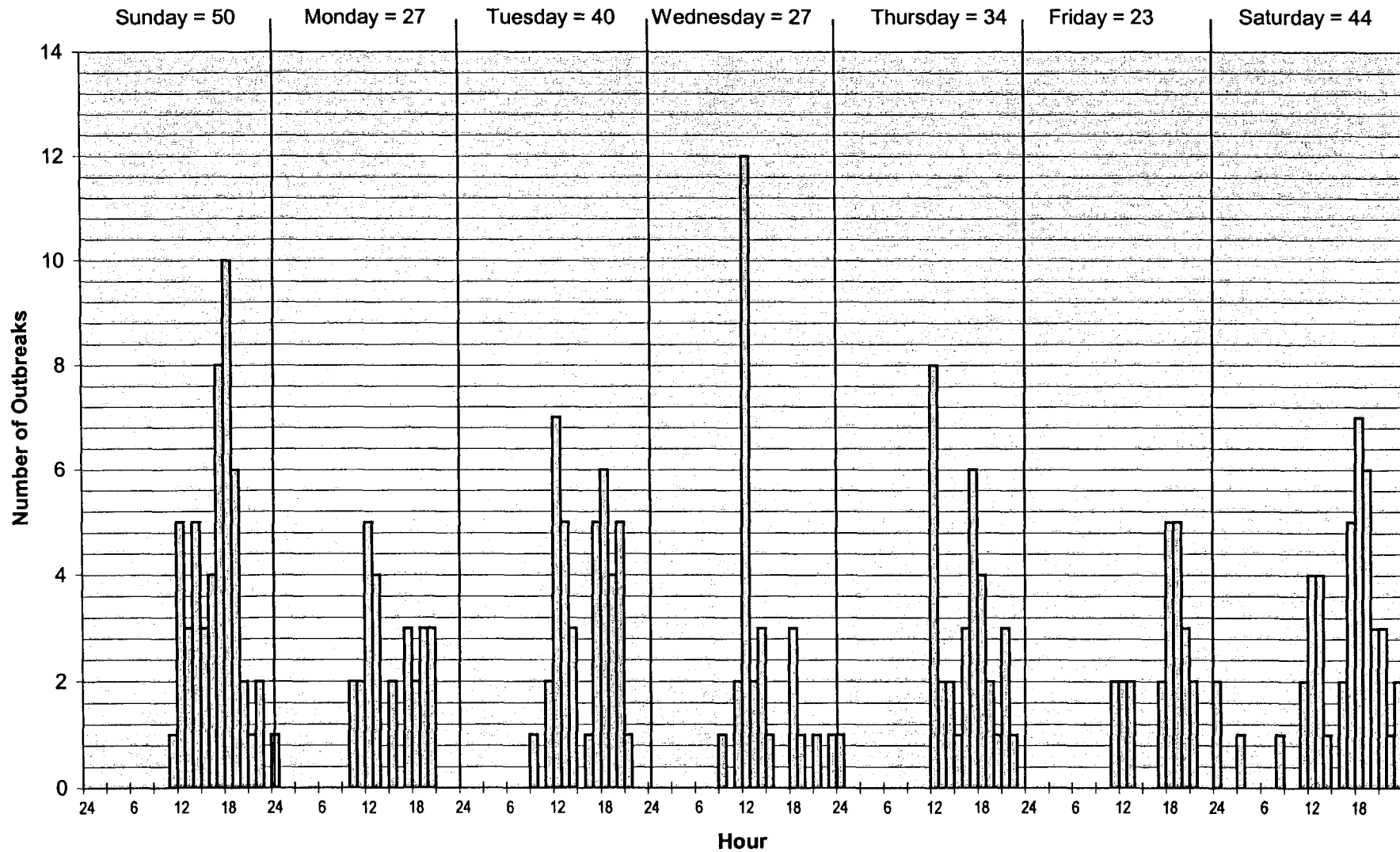
We will provide you with updates as we move forward to implement these enhancements. In the meantime, should you have any questions or need additional information, please let either of us know.

TLG:JEF:jn

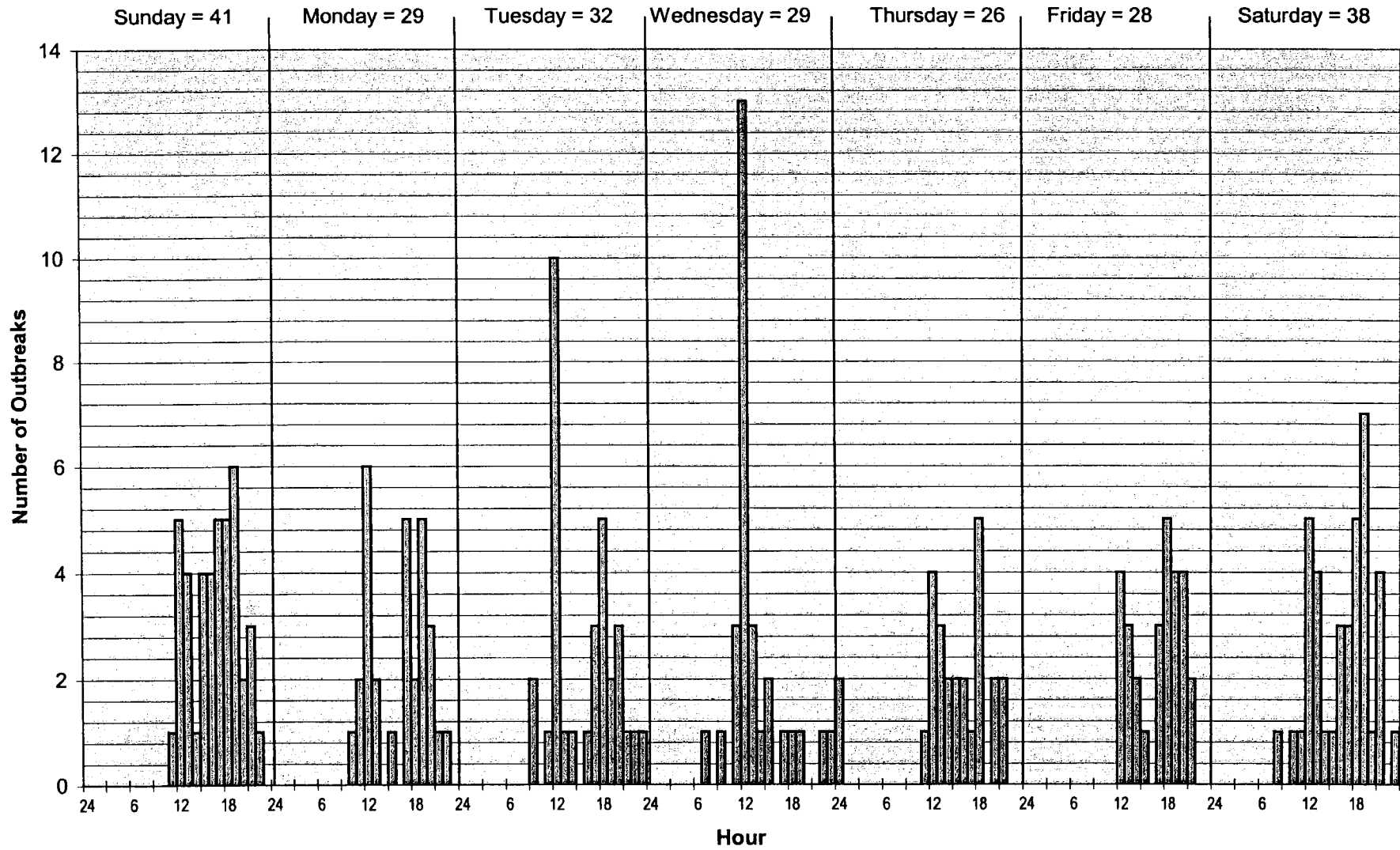
Attachments

c: Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors

Probable Foodborne Outbreaks By Exposure Time **Los Angeles County Food Establishments, FY 2004-05**



Probable Foodborne Outbreaks By Exposure Time **Los Angeles County Food Establishments, 2004**



Probable Foodborne Outbreaks by Exposure Time

Weekday	Hour	Count		
Sunday	24	0		
	1	0		
	2	0		
	3	0		
	4	0		
	5	0		
	6	0		
	7	0		
	8	0		
	9	0		
	10	0		
	11	1		
	12	5		
	13	3		
	14	5		
	15	3		
	16	4		
	17	8		
	18	10		
	19	6		
	20	2		
	21	1		
	22	2		
	23	0	Total =	50
Monday	24	1		
	1	0		
	2	0		
	3	0		
	4	0		
	5	0		
	6	0		
	7	0		
	8	0		
	9	0		
	10	2		
	11	2		
	12	5		
	13	4		
	14	0		
	15	2		
	16	0		
	17	3		
	18	2		
	19	3		
	20	3		
	21	0		
	22	0		
	23	0	Total =	27
Tuesday	24	0		
	1	0		

	2	0		
	3	0		
	4	0		
	5	0		
	6	0		
	7	0		
	8	0		
	9	1		
	10	0		
	11	2		
	12	7		
	13	5		
	14	3		
	15	0		
	16	1		
	17	5		
	18	6		
	19	4		
	20	5		
	21	1		
	22	0		
	23	0	Total =	40
Wednesday	24	0		
	1	0		
	2	0		
	3	0		
	4	0		
	5	0		
	6	0		
	7	0		
	8	0		
	9	1		
	10	0		
	11	2		
	12	12		
	13	2		
	14	3		
	15	1		
	16	0		
	17	0		
	18	3		
	19	1		
	20	0		
	21	1		
	22	0		
	23	1	Total =	27
Thursday	24	1		
	1	0		
	2	0		
	3	0		
	4	0		
	5	0		

	6	0		
	7	0		
	8	0		
	9	0		
	10	0		
	11	0		
	12	8		
	13	2		
	14	2		
	15	1		
	16	3		
	17	6		
	18	4		
	19	2		
	20	1		
	21	3		
	22	1		
	23	0	Total =	34
Friday	24	0		
	1	0		
	2	0		
	3	0		
	4	0		
	5	0		
	6	0		
	7	0		
	8	0		
	9	0		
	10	0		
	11	2		
	12	2		
	13	2		
	14	0		
	15	0		
	16	0		
	17	2		
	18	5		
	19	5		
	20	3		
	21	2		
	22	0		
	23	0	Total =	23
Saturday	24	2		
	1			
	2			
	3	1		
	4			
	5			
	6			
	7			
	8	1		
	9			

	10		
	11	2	
	12	4	
	13	4	
	14	1	
	15		
	16	2	
	17	5	
	18	7	
	19	6	
	20	3	
	21	3	
	22	1	
	23	2	
		Total =	44
	245		

Probable Foodborne Outbreaks by Exposure Time

Week day	Hour	Count
Sunday	24	0
	1	0
	2	0
	3	0
	4	0
	5	0
	6	0
	7	0
	8	0
	9	0
	10	0
	11	1
	12	5
	13	4
	14	1
	15	4
	16	4
	17	5
	18	5
	19	6
	20	2
	21	3
	22	1
	23	0
Monday	24	0
	1	0
	2	0
	3	0
	4	0
	5	0
	6	0
	7	0
	8	0
	9	0
	10	1
	11	2
	12	6
	13	2
	14	0
	15	1
	16	0
	17	5
	18	2
	19	5
	20	3
	21	1
	22	1
	23	0
Tuesday	24	0

Total = 41

Total = 29

	1	0
	2	0
	3	0
	4	0
	5	0
	6	0
	7	0
	8	0
	9	2
	10	0
	11	1
	12	10
	13	1
	14	1
	15	0
	16	1
	17	3
	18	5
	19	2
	20	3
	21	1
	22	1
	23	1
Wednesday	24	0
	1	0
	2	0
	3	0
	4	0
	5	0
	6	0
	7	1
	8	0
	9	1
	10	0
	11	3
	12	13
	13	3
	14	1
	15	2
	16	0
	17	1
	18	1
	19	1
	20	0
	21	0
	22	1
	23	1
Thursday	24	2
	1	0
	2	0
	3	0

Total = 32

Total = 29

	4	0
	5	0
	6	0
	7	0
	8	0
	9	0
	10	0
	11	1
	12	4
	13	3
	14	2
	15	2
	16	2
	17	1
	18	5
	19	0
	20	2
	21	2
	22	0
	23	0
Friday	24	0
	1	0
	2	0
	3	0
	4	0
	5	0
	6	0
	7	0
	8	0
	9	0
	10	0
	11	0
	12	4
	13	3
	14	2
	15	1
	16	0
	17	3
	18	5
	19	4
	20	4
	21	2
	22	0
	23	0
Saturday	24	0
	1	0
	2	0
	3	0
	4	0
	5	0
	6	0

Total = 26

Total = 28

Total = 38